Smith v. The Abandoned Vessel Doc. 19

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Nathan Smith,	§	
Plaintiffs,	§	
	§	
v.	§	Civil Action No.: H-07-784
	§	
	§	
The Abandoned Vessel,	§	
	§	
Defendants.	§	

ORDER CLARIFIYING ORDER OF SEPTEMBER 14, 2007

Pending before the Court is Intevenor Marie Sorenson's Plea for Intervention, Opposed Motion for New Trial, Plea to the Jurisdiction, Motion to Transfer Venue and Objection to Plaintiff's Motion for Declaratory Judgment (Inst. # 12). Having considered the motion, submissions and the applicable law, the Court determines that the motion should be granted and denied in part. Accordingly, the Court hereby

Orders that the Entry of Judgment and Declaratory Judgment entered on September 7, 2007 is hereby VACATED. The Plea for Intervention is granted and the Opposed Motion for New Trial is denied as moot. The Plea to the Jurisdiction is denied as moot and the Motion to Transfer Venue is denied. Further, the case is reopened and set for a Rule 16 Scheduling Conference on October 25, 2007 at 2:00 p.m. before Magistrate Judge Stephen Wm. Smith, Courtroom 702, 515 Rusk, Houston, TX.

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Signed at Houston, TX on the 28 day of September, 2007.

DAVID HITTNER
United States District Judge